

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>BENJAMIN MOSTAED, on behalf of</b>	)
<b>himself and all others similarly</b>	)
<b>situated,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	)
	)
<b>JAMES B. CRAWFORD,</b>	)
<b>ROBERT H. FOGLESONG,</b>	)
<b>RICHARD M. GABRYS,</b>	)
<b>ROBERT B. HOLLAND, BOBBY</b>	)
<b>R. INMAN, DAN R. MOORE,</b>	)
<b>BAXTER F. PHILLIPS, JR.,</b>	)
<b>STANLEY C. SUBOLESKI, LINDA</b>	)
<b>J. WELTY, MASSEY ENERGY</b>	)
<b>COMPANY, and ALPHA NATURAL</b>	)
<b>RESOURCES, INC.,</b>	)
	)
<b>Defendants.</b>	)

**Civil Action No. 3:11-CV-079**

**ORDER**

WHEREAS, on March 11, 2011, Defendants filed motions to stay this proceeding and certain other related proceedings pending in this district;

WHEREAS, on May 10, 2011, the Court scheduled an initial pre-trial conference in this matter for June 2, 2011;

WHEREAS, on May 16, 2011, Plaintiff served document requests and depositions notices on Defendants, which included two depositions noticed for dates (May 31 and June 1) in advance of the initial pre-trial conference; and

WHEREAS on May 26, 2011, Defendants filed a motion for a protective order with regard to the May 16 document requests and deposition notices, in part in order to allow the Court an opportunity to consider the pending motions to stay and for a protective order before discovery commences.

Hence, for good cause shown, it is hereby ORDERED, ADJUDGED and DECREED that all discovery, depositions and associated deadlines in this matter (including the obligation to serve responses and objections to requested discovery) is stayed until such time as the Court may consider the pending motions to stay and for a protective order at the June 2, 2011, initial pre-trial conference, and thereafter, as directed by the Court.

The Clerk is directed to send a copy of this Order to counsel of record.

ENTERED this 26 day of May, 2011.

IT IS SO ORDERED.

Dated: May 26, 2011

John A. Gibney, Jr. /s/ (Gibney)  
Hon. John A. Gibney, Jr.  
UNITED STATES DISTRICT JUDGE